



January 17, 2002

HOUSE JOINT RESOLUTION No. 5

DIGEST OF HJ 5 (Updated January 16, 2002 4:21 PM - DI 84)

Citations Affected: Article 4 of the Indiana Constitution.

Synopsis: Special and local legislation. Provides that the general assembly may pass local or special laws to: (1) regulate the structure, operation, or other business of a political subdivision or a class of political subdivisions; (2) provide for raising or spending revenue by a political subdivision or a class of political subdivisions; and (3) permit a political subdivision or class of political subdivisions to regulate their local affairs not inconsistent with general laws. This proposed amendment has not been previously agreed to by a general assembly. (The introduced version of this resolution was prepared by the census data advisory committee.)

Effective: This proposed amendment must be agreed to by two consecutive general assemblies and ratified by a majority of the state's voters voting on the question to be effective.

**Cheney, Kromkowski, Richardson,
Behning**

January 8, 2002, read first time and referred to Committee on Elections and Apportionment.
January 16, 2002, reported — Do Pass.

HJ 5 — HJ 9214/DI 75+



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January 17, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

HOUSE JOINT RESOLUTION No. 5

A JOINT RESOLUTION proposing an amendment to Article 4 of the Indiana Constitution concerning the general assembly.

Be it resolved by the General Assembly of the State of Indiana:

- 1 SECTION 1. The following amendment to the Constitution of the
- 2 State of Indiana is proposed and agreed to by this, the One Hundred
- 3 Twelfth General Assembly of the State of Indiana, and is referred to the
- 4 next General Assembly for reconsideration and agreement.
- 5 SECTION 2. ARTICLE 4, SECTION 22 OF THE CONSTITUTION
- 6 OF THE STATE OF INDIANA IS AMENDED TO READ AS
- 7 FOLLOWS: Section 22. The General Assembly shall not pass local or
- 8 special laws **for any of the following purposes:**
- 9 Providing for the punishment of crimes and misdemeanors.
- 10 Regulating the practice in courts of justice.
- 11 Providing for changing the venue in civil and criminal cases.
- 12 Granting divorces.
- 13 Changing the names of persons.

HJ 5 — HJ 9214/DI 75+



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1 Providing for laying out, opening, and working on, highways, and
 2 for the election or appointment of supervisors.

3 Vacating roads, town plats, streets, alleys, and public squares.

4 Summoning and empaneling grand and petit juries, and providing
 5 for their compensation.

6 ~~Regulating county and township business;~~

7 Regulating the election of county and township officers and their
 8 compensation.

9 Providing for the assessment and collection of taxes for State
 10 ~~county, township, or road~~ purposes.

11 Providing for the support of common schools, or the preservation of
 12 school funds.

13 Relating to fees or salaries, except that the laws may be so made as
 14 to grade the compensation of officers in proportion to the population
 15 and the necessary services required.

16 Relating to interest on money.

17 Providing for opening and conducting elections of State, county, or
 18 township officers, and designating the places of voting.

19 Providing for the sale of real estate belonging to minors or other
 20 persons laboring under legal disabilities, by executors, administrators,
 21 guardians, or trustees.

22 SECTION 3. ARTICLE 4, SECTION 23 OF THE CONSTITUTION
 23 OF THE STATE OF INDIANA IS AMENDED TO READ AS
 24 FOLLOWS: Section 23. **(a)** In all the cases enumerated in the
 25 preceding section, and in all other cases where a general law can be
 26 made applicable, all laws shall be general, and of uniform operation
 27 throughout the State.

28 **(b) Notwithstanding subsection (a), the General Assembly may**
 29 **pass a local or special law for any of the following purposes:**

30 **(1) To regulate the structure, operation, or other business of**
 31 **a political subdivision or a class of political subdivisions.**

32 **(2) To provide for raising or spending revenue by a political**
 33 **subdivision or a class of political subdivisions.**

34 **(3) To permit a political subdivision or class of political**
 35 **subdivisions to regulate their local affairs not inconsistent**
 36 **with general laws.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Joint Resolution 5, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

KROMKOWSKI, Chair

Committee Vote: yeas 9, nays 2.

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